



8-4-06

Encl
DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hawkins et al.

Application No: 10/614,842

Filed: July 8, 2003

For: A COOLING BANK CONTROL
ASSEMBLY FOR A BEVERAGE
DISPENSING SYSTEM

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Atty. Docket No: L-0170.41(Con)

Examiner: M. Ali

Group Art Unit: 3744

REQUEST FOR WITHDRAWAL OF ABANDONMENT

MAIL STOP PETITION
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to a telephone call from Examiner Ali dated August 2, 2006, informing Applicant that the referenced application has been abandoned for failure to respond to an Office Action dated July 13, 2004. Applicant respectfully submits the referenced application was abandoned through an Office error. Applicant timely responded to the Office Action through an Amendment submitted to the Office on August 9, 2004. A copy of the Amendment is enclosed herewith. The Amendment was submitted to the Office via fax, and the Office received the Amendment as evidenced by Applicant's enclosed fax journal from August 9, 2004, indicating the Office received a cover page and the five pages of the Amendment. Applicant's cover page dated August 9, 2004, a copy of which is enclosed herewith, further indicates Applicant timely responded to the Office Action. Subsequent to the receipt of the Amendment by the Office, the Office misplaced and thus never acted upon Applicant's Amendment. Applicant therefore respectfully requests the referenced application be revived and the Amendment submitted August 9, 2004, be acted upon because the entire delay in filing the Amendment from

the due date of the Amendment until the filing of a grantable petition occurred through an Office error without any fault on the part of Applicant.

Respectfully submitted,

LAW OFFICES OF CHRISTOPHER L. MAKAY
1634 Milam Building
115 East Travis Street
San Antonio, Texas 78205
(210) 472-3535

DATE: 3 August 2006

BY: 

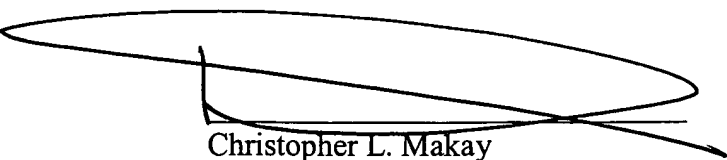
Christopher L. Makay
Reg. No. 34,475

ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated below, addressed to the COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No. EV 847630434 US Date: 3 August 2006


Christopher L. Makay